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PCT

PATENT DOCKET 206,871

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT:** PURICELLI ET AL.

**EXAMINER:**

**SERIAL NO.:** 10/524,453 ✓

**ART UNIT:**

**FILED:** February 9, 2005

**FOR:** STAPLE FOR THE SUTURE  
OF THE STERNUM

Honorable Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 31, 2005

**RESPONSE TO NOTIFICATION**  
**OF MISSING REQUIREMENTS UNDER THE 35 U.S.C. 371**

09/08/2005 MKAYPAGH 00000101 10524453

01 FC:2617

65.00 OP

**STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. § 1.10**

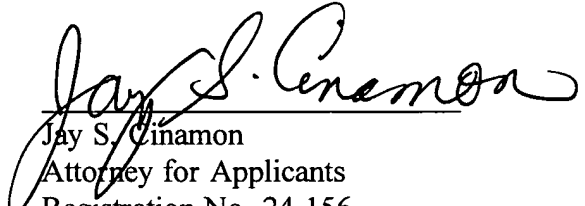
This correspondence is being deposited with the United States Postal Service on August 31, 2005 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ER 843 204 921 US addressed to the Honorable Commissioner for Patents, Washington, D.C. 20231.

**REMARKS**

In response to the Notification of Missing Requirements of August 1, 2005, copy enclosed, applicants' submit herewith a properly executed Declaration. A check in the amount of \$65.00 is enclosed to cover the surcharge for the late filing of the Declaration by a small entity.

Please charge any fees which may be due which have not been submitted herewith to our Deposit Account No. 01-0035.

Respectfully submitted,

  
Jay S. Cinamon  
Attorney for Applicants  
Registration No. 24,156

**ABELMAN, FRAYNE & SCHWAB**  
666 Third Avenue  
New York, NY 10017  
(212) 949-9022



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 Alexandria, Virginia 22313-1450  
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|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/524,453                  | Cesare Puricelli      | 206,871          |

DUE BY SP 10/1/05

|                               |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/EP03/08821

Jay S Cinamon  
 Abelman Frayne & Schwab  
 150 East 42nd Street  
 New York, NY 10017-5612

DOCKETED ON 8/9/05

|                 |               |
|-----------------|---------------|
| LA. FILING DATE | PRIORITY DATE |
|-----------------|---------------|

08/08/2003

08/09/2002

DOCKETED WITHOUT FILE \_\_\_\_\_

ATTORNEY JSC

CONFIRMATION NO. 8650

371 FORMALITIES LETTER



\*OC000000016662465\*

Date Mailed: 08/01/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/09/2005
- Copy of the International Search Report filed on 02/09/2005
- Preliminary Amendments filed on 02/09/2005
- Information Disclosure Statements filed on 06/24/2005
- Oath or Declaration filed on 02/09/2005
- Request for Immediate Examination filed on 02/09/2005
- U.S. Basic National Fees filed on 02/09/2005
- Priority Documents filed on 02/09/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/524,453                  | PCT/EP03/08821                | 206,871          |

FORM PCT/DO/EO/905 (371 Formalities Notice)